

Appn. No.: 10/657,944
Amendment Dated: November 3, 2005
Reply to Office Action of July 5, 2005

MTS-3462US

Remarks/Arguments:

Claims 1-2, 4, 6, 8 and 11-31 are pending.

Claims 8, 11, 13-15 and 18-20 are objected to but indicated to be allowable if properly rewritten in independent form.

Claims 1, 2, 4, 6, 12, 16-17 and 21-31 are rejected.

By this Amendment, claims 1, 8, 18, 20, 22, 26, 27-29 and 31 are amended, claims 3-7, 9-10 and 23 are canceled without prejudice and new claims 32-46 are added.

No new matter is added by the claim amendments and new claims, and accordingly, entry and approval of same are respectfully requested.

Allowable Subject Matter

Claims 8, 11, 13-15 and 18-20 are objected to but indicated to be allowable if properly rewritten in independent form.

Applicants have not amended claim 8, 11, 13-15 and 18-20 into independent form because it is submitted that their base claims are allowable.

Reconsideration is respectfully requested.

Objection to the Drawings

The drawing are objected to for not showing certain features of claim 6 (i.e., a capacitor that includes a wire) and of claim 1 in conjunction with claim 23 (i.e., one capacitor and a third inductor).

Claims 6 and 23 are now canceled without prejudice and the drawing objection relating thereto is now moot.

Objection to the Claims

Claims 8, 20, 22 and 27-29 are objected to for informalities therein.

Claims 8, 20 and 22 have been amended accordingly.

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In the Action, the Examiner contends that claims 27 and 29 are not further limiting of their base claims because "band elimination filters by definition inherently have an elimination band with an incline (i.e., slant, slope or deviation from horizontal and vertical ...) toward the lower frequency side and an incline toward the higher frequency side."

Applicants have amended claim 1 to overcome this objection.

Reconsideration is respectfully requested.

Rejection under 35 U.S.C. §112, first paragraph

Claims 6 and 23 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claims 6 and 23 are canceled without prejudice and the rejection thereof is now moot.

Reconsideration is respectfully requested.

Rejection under 35 U.S.C. §112, second paragraph

Claims 4 and 6 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 4 and 6 are canceled without prejudice and the rejection thereof is now moot.

Reconsideration is respectfully requested.

Rejection of Claims 28, 29 and 31 under 35 U.S.C. §102(b)

Claims 28, 29 and 31 are rejected under 35 U.S.C. §102(b) as being anticipated by Hosaka (JP 7-263995).

Reconsideration is respectfully requested.

Claim 28

Claim 28 is directed to a band elimination filter, and recites "a first inductor between a first terminal connected directly to said input terminal and a second terminal connected to said

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output terminal ... a first acoustic resonator is connected between said first terminal and said first grounding point," (emphasis added).

Hosaka Reference

Hosaka discloses with respect to FIG. 2 a surface acoustic wave (SAW) resonator 1. The structure of this SAW resonator 1 is a cascade connection of two filters (low pass filters) with an input connected to a cascading point (i.e., the point where the two low pass filters are connected that corresponding to the first terminal recited in claim 1) though one of the inductors 4. That is, contrary to the structure recited in claim 1, in the Hosaka SAW resonator 1 the input of the SAW resonator 1 is not directly connected to this cascading point (corresponding to the first input terminal recited in claim 1).

Moreover, it is noted that the objective of Hosaka is destroyed if this inductor 4 of Hosaka (between the input and the cascading point of the two filters) is eliminated (i.e., the input and cascading point are directly connected). This is because, it is clear from the disclosure of Hosaka at paragraph [0017] that the inductor is a required element. That is, Hosaka discloses "the device shows the low pass filter characteristics in which the cut off frequency is determined depending on the value of the braking capacity of the surface acoustic wave resonator 1 and the value of the inductance element 4."

By contrast, the structure of the invention recited in claim 28 includes two acoustic resonators and an inductor as a reactance element to realize a bandwidth elimination filter with characteristics of high attenuation and low loss.

Accordingly, it is submitted that claim 28 patentably distinguishes over Hosaka for the above mentioned reasons.

Claims 29 and 31

Claims 29 and 31 include all the features of claim 28, from which they ultimately depend, and are submitted to patentably distinguish for the same reasons as claim 28.

Rejection Under 35 U.S.C. §102(b) as Anticipated by Hikita et al.

Claims 1-2, 12, 16-17, 21-22, 24 and 26-27 are rejected under 35 U.S.C. §102(b) as being anticipated by Hikita et al. (U.S. Patent No. 4,803,449) (hereafter referred to as Hikita).

Reconsideration is respectfully requested.

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Claim 1

Claim 1 is directed to a band elimination filter, and recites "a first acoustic resonator is connected between said first terminal and said first grounding point, and a second acoustic resonator is connected between said second terminal and said second grounding point."

Hikita Reference

Hikita discloses in FIG. 4, a structure including signal input terminal 11, signal output terminal 12, input terminal IN, output terminal OUT and capacitances 431-433. Hikita is silent, however, regarding the recitation in claim 1 of "a normalized impedance, which is obtained by normalizing a characteristic impedance of said input terminal or said output terminal, is smaller than 1.5.

Accordingly, it is submitted that claim 1 patentably distinguishes over Hosaka for the above mentioned reasons.

Claims 2, 12, 16 17 21, 22 24, 26, and 27

Claims 2, 12, 16 17 21, 22 24, 26, and 27 include all the features of claim 1, from which they ultimately depend, and are submitted to patentably distinguish for the same reasons as claim 1.

Rejection Under 35 U.S.C. §103(a) as Obvious over Hikita.

Claims 25 and 30 are rejected under 35 U.S.C. §103(a) as being obvious over Hikita.

Claims 25 and 30 include all of the features of claim 1, from which they ultimately depend. It is submitted that the cited art of Hikita does not disclose or suggest the above-mentioned recitations in claim 1 and accordingly, claims 25 and 30 are also submitted to patentably distinguish over Hikita for at least the same reasons as claim 1.

Reconsideration is respectfully requested.

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Conclusion

In view of the claim amendments, new claims and remarks set forth above, Applicants respectfully submit that claims 1-2, 8, 11-22 and 24-46 are in condition for allowance and early notification to that effect is earnestly solicited.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: November 3, 2005

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